

Docket No. 01-592-US
Serial No.: 10/036,107

REMARKS

Applicants thank the Examiner for the careful consideration given this case. The Applicants further thank the Examiner for the interview provided on September 12, 2005 with Applicants' representative. At the interview, potential points of novelty of the present invention over the cited prior art were discussed. It is respectfully submitted that the presently-amended claims reflect those discussions.

This response addresses those issues raised in Office Action dated June 22, 2005. Claims 40, 43-44, 47-53, 56-57, 60-65, 83, 95, and 119-135 are pending. Claims 40, 44, 53, 57, 83, and 95 have been amended. Claims 45-46, 58-59, 66, 74, 98, 100, 107, 110, and 112 are hereby cancelled. Claims 119-135 are newly introduced. The amendments and new claims introduce no new matter. In view of the following remarks, reconsideration of the claims is respectfully requested.

Support for new claim language and newly-introduced claims

As discussed during the interview of September 12, 2005, Claim 40 and has been amended to describe the present invention with more particularity. It is respectfully submitted that the new claim language does not change the claimed subject material, but only describes it in a different manner. Support for the phrasing "series of events" may be found in paragraphs 30 and 43 of the present application. Support for pedagogical and dramatic goals may be found in paragraphs 43, 48, 56, and 65 of the present application. Support for providing feedback within the context of the story may be found in paragraphs 17 and 34 of the present invention. Support for providing feedback to promote progression of the story may be found in paragraphs 17, 18, 38, and 40 of the present application.

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Newly-introduced Claims 119 - 135 are also fully supported by the present specification. Support for method Claims 119-125 may be found throughout the present specification particularly including paragraphs 16-18, 30-38, and 53-54. Specifically, support for goal hierarchy and sub-goals may be found in paragraphs 30 and 57. Support for apparatus Claims 131-135 may be found throughout the specification particularly including paragraphs 30-39 and Figures 1-4 of the present application.

Rejections under 35 U.S.C. § 102

The Examiner rejects 40, 43-46, 49, 51-53, 56-59, 62, 64-66, 74, 95, 100, 107 and 112 under 35 U.S.C. § 102(e) as being anticipated by Lotecka (U.S. Patent No. 6,296,487; "the '487 patent" or "Lotecka"). The Examiner asserts that Lotecka provides dramatic character driven story based simulation content that has dramatic goals that are based on dramatic story telling. Applicants continue to disagree with the Examiner that Lotecka (even read broadly as possible) discloses dramatic character-driven story-based simulation content for reasons already of record. Moreover, the presently pending independent Claims 83, 95, and 119 include the element of the dramatic goals being organized into a goal hierarchy, the goal hierarchy comprising an outline of all of the dramatic goals, further wherein each dramatic goal is comprised of sub-goals to be achieved prior to achieving each dramatic goal. It is respectfully submitted that Lotecka does not teach or suggest that claim element which is present in each of noted presently-pending claims.

Lotecka thus does not recite each and every claim element of the presently-pending claims and rejection thereof as anticipated by Lotecka is inappropriate. Reconsideration and withdrawal of the present rejections are respectfully requested.

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Rejection under 35 U.S.C. § 103

The Examiner rejects Claims 47-48, 60-61, and 83 under 35 U.S.C. § 103(a) as unpatentable as obvious over Lotecka in view of Cook (U.S. Patent No. 5,727,950; "Cook" or "the '950 patent"). As argued above, Lotecka does not disclose each and every element of the present claims – specifically, "dramatic character driven story based simulation content," "character-driven dramatic story," or "dramatic goals." Applicants maintain their position that Lotecka and Cook (even read as broadly as possible) do not teach or suggest those elements of the present claims.

Moreover, the presently pending independent Claims 83, 95, and 119 include the element of the dramatic goals being organized into a goal hierarchy, the goal hierarchy comprising an outline of all of the dramatic goals, further wherein each dramatic goal is comprised of sub-goals to be achieved prior to achieving each dramatic goal. It is respectfully submitted that Lotecka does not teach or suggest that claim element which is present in each of noted presently-pending claims. Cook does not cure those deficiencies of Lotecka.

Thus, Cook and Lotecka - taken singly or in combination - do not teach or fairly suggest each and every element of the presently-claimed invention. As the Examiner is aware, to establish a *prima facie* case of obviousness of a claimed invention, all of the claim elements must be taught or suggested in the cited references. MPEP § 2143.01. It is submitted that the cited references do not satisfy this requirement in the claims as presently amended. Reconsideration and withdrawal of this rejection are respectfully requested.

The Examiner rejects Claims 50, 63, 98, and 110 under 35 U.S.C. 103(a) as being unpatentable over Lotecka in view of Siddle. As argued above,

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Lotecka does not disclose each and every element of the present claims – specifically, “dramatic character driven story based simulation content” or “dramatic goals.” Moreover, the presently pending independent Claims 83, 95, and 119 include the element of the dramatic goals being organized into a goal hierarchy, the goal hierarchy comprising an outline of all of the dramatic goals, further wherein each dramatic goal is comprised of sub-goals to be achieved prior to achieving each dramatic goal. It is respectfully submitted that Lotecka does not teach or suggest that claim element which is present in each of noted presently-pending claims. Siddle does not cure those deficiencies of Lotecka.

Thus, Siddle and Lotecka - taken singly or in combination - do not teach or fairly suggest each and every element of the presently-claimed invention. As the Examiner is aware, to establish a *prima facie* case of obviousness of a claimed invention, all of the claim elements must be taught or suggested in the cited references. MPEP § 2143.01. It is submitted that the cited references do not satisfy this requirement in the claims as presently amended. Reconsideration and withdrawal of this rejection are respectfully requested.

Applicants further note that, among the pending claims, Claims 40, 43-44, 49, 51-53, 61-62, 64-65, and 95 were rejected by the Examiner as anticipated, but were not rejected as obvious over any prior art. Applicants further submit that those claims include elements that are not taught or suggested by any cited prior and are accordingly in condition for allowance.

Point of Clarification

On Page 4 of the present Office Action, the Examiner references the Siddle reference (of record) and Claims 50, 63, and 110. That section of the Office Action details the Examiner's bases for rejecting Claims 40, 43-46, 49, 51-53, 56-59,

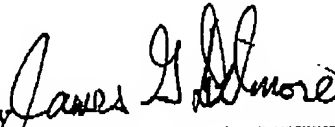
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62, 64-66, 74, 95, 100, 107, and 112 as anticipated by Lotecka. Applicants request clarification from the Examiner regarding the discussion of Siddle and of Claims 50, 63, and 110 in that section of the present Office Action.

In view of the remarks presented herein, it is respectfully submitted that the present application is in condition for final allowance and notice to such effect is requested. If the Examiner believes that additional issues need to be resolved before this application can be passed to issue, the undersigned invites the Examiner to contact him at the telephone number provided below.

Respectfully submitted,

Dated: September 22, 2005

By 

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